

**ENTERED**

November 13, 2015

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

§

VS.

§

CRIMINAL ACTION NO. 2:11-CR-1200

ROBERTO SANCHEZ

§

§

**ORDER DENYING MOTION TO APPOINT COUNSEL**

Pending before the Court is Defendant Roberto Sanchez's ("Sanchez") motion to appoint

counsel to assist him with a motion to reduce his sentence pursuant to 18 U.S.C. § 3582(c). D.E.

21. The motion is denied.

Sanchez seeks counsel to aid him with a prospective motion to reduce his sentence pursuant to 18 U.S.C. § 3582(c). There is no constitutional right to counsel in § 3582 proceedings. *Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987) ("We have never held that prisoners have a constitutional right to counsel when mounting collateral attacks upon their convictions. Our cases establish that the right to appointed counsel extends to the first appeal of right, and no further."); *United States v. Vasquez*, 7 F.3d 81, 83 (5th Cir. 1993) (no constitutional right to counsel in § 2255 proceedings); *United States v. Whitebird*, 55 F.3d 1007, 1010–11 (5th Cir. 1995) (no constitutional or statutory right to counsel in § 3582 proceeding); *United States v. Hereford*, 385 F. App'x 366, 367–69 (5th Cir. 2010) (designated unpublished) (appointment of counsel not required in § 3582 proceeding).

The Court DENIES Sanchez's motion for appointment of counsel (D.E. 21).

ORDERED this 13th day of November, 2015.

  
NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE